

1 THE HONORABLE JOHN C. COUGHENOUR

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 FENG-CHI SHIH-SPRING,

CASE NO. C18-0749-JCC

10 Plaintiff,

MINUTE ORDER

11 v.

12 IDS PROPERTY CASUALTY INSURANCE
13 COMPANY,

14 Defendant.

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16 The following Minute Order is made by direction of the Court, the Honorable John C.
17 Coughenour, United States District Judge:

18 This matter comes before the Court on the telephonic status conference held on April 18,
19 2019. Having heard argument from the parties and considered the relevant record (Dkt. Nos. 17,
20 24, 33–52) the Court ORDERS as follows:

- 21 • The parties' joint submission filed pursuant to Local Civil Rule 37 (Dkt. No. 24)
22 is GRANTED in favor of Plaintiff. Plaintiff retained Dr. Arntz in reasonable
23 anticipation of litigation and designated him as an expert witness pursuant to
24 Federal Rule of Civil Procedure 26(a)(2). Therefore, Defendant may not discover
25 Dr. Arntz's draft reports or his communications with Plaintiff's attorneys made
26 prior to litigation. *See* Fed. R. Civ. P. 26(b)(4)(B)–(C).

- Plaintiff's request for leave to file a motion pursuant to Federal Rule of Civil Procedure 56(d) is GRANTED. (See Dkt. Nos. 39, 40.) Plaintiff shall file a brief in support of a Rule 56(d) continuance no later than Tuesday, April 23, 2019. Defendant shall file a brief in opposition no later than Friday, April 26, 2019. The parties' briefs shall not exceed five (5) pages. The parties may support their briefs by reference to affidavits or declarations that have been previously filed.

DATED this 18th day of April 2019.

William M. McCool
Clerk of Court

s/Tomas Hernandez
Deputy Clerk